

LITTLETON JOYCE
UGHETTA PARK & KELLY LLP
NEW YORK CITY | PURCHASE, NY | RED BANK, NJ | LOS ANGELES | PHILADELPHIA

June 20, 2017

Via ECF & U.S. Mail

The Honorable Denis J. Hurley
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, NY 11722

Re: *Kimberly Godoy v. BMW of North America, LLC, et al.*
Civil Action No. 16-CV-05502
Our File No.: 00102.00011

Dear Judge Hurley:

We represent defendant ZF TRW Automotive Holdings Corp. in the above-referenced matter. On its behalf, we respectfully submit this letter motion requesting an unopposed extension of time to file its responsive pleading to Plaintiff's Amended Complaint (D.E. 33), which may include, among other things, a challenge to the Court's personal jurisdiction. The reason for the extension is to allow additional time to investigation the claims made by plaintiff and to submit an appropriate responsive pleading on behalf of ZF TRW Automotive Holdings Corp.

Pursuant to Rule 2(E) of Your Honor's Individual Practice Rules, the following is provided:

1. The original time to file a responsive pleading is June 22, 2017 (served June 1, 2017);
2. This is the first extension requested by ZF TRW Automotive Holdings Corp. for filing a responsive pleading;
3. No previous extensions have been requested;
4. We have consulted with counsel for plaintiff, Dino G. Amoroso, who is unopposed to this extension request, and respectfully submit this letter with plaintiff's counsel's consent, as referenced in the attached email correspondence.

Accordingly, we would appreciate the Court granting this request for an extension of time to respond to Plaintiff's Amended Complaint until and including July 7, 2017, with the understanding that by complying with the Court's rules and seeking this extension, ZF TRW Automotive Holdings Corp. is not waiving any challenge it may make to the Court's personal jurisdiction over it.

Hon. Denis J. Hurley
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We thank the Court for its attention to and consideration of this request.

Very truly yours,

LITTLETON JOYCE UGHETTA PARK & KELLY LLP



B. Keith Gibson

Encl.

cc: Dino G. Amoroso (*via ECF*)
Amoroso & Associates, P.C.
43 West 43rd Street, Suite 64
New York, New York 10036
DGALaw@verizon.net
Attorneys for Plaintiff

David B. Weinstein, Esq. (*via U.S. Mail*)
Weinstein Tippetts & Little LLP
7500 San Felipe St., Suite 500
Houston, TX 77063
david.weinstein@wtllaw.com
Attorneys for ZF TRW Automotive Holdings Corp.

All counsel of record (*via ECF*)

LITTLETON JOYCE UGHETTA PARK & KELLY LLP

Gibson, Keith

From: dgalaw@verizon.net
Sent: Wednesday, June 14, 2017 11:44 AM
To: David Weinstein
Subject: Re: Godoy v BMW, et al: ZF TRW -- time to talk?

David:

I confirm that my client has agreed to an extension of time to allow your firm to submit a response by July 7, 2017.

In addition I will send photographs of the vehicle taken by a representative of BMW.

Dino G. Amoroso
Amoroso & Associates, P.C.
43 West 43rd Street
New York, NY
B-212-709-8031
F-212-943-2300
DGALaw@verizon.net

Sent from my iPhone

On Jun 14, 2017, at 10:57 AM, David Weinstein <david.weinstein@wtllaw.com> wrote:

Dino,

Enjoyed our call just now. I understand that BMW did a vehicle inspection and took some photos that show the driver airbag module was from Autoliv, but you or BMW believe some ZF TRW-related entity supplied rear side airbags. Thanks for agreeing to send me photos from the BMW inspection so I can check with my client on these matters. You can just email them to me, if that works. Also, I appreciate your agreement in our call to give my client an additional two weeks to file its responsive pleadings. The current deadline is June 22. If you don't mind adding one more day, we'll agree that my client may file its responsive pleadings on Friday, July 7, 2017. To make the record clear, please reply with your confirmation of this extension, and then we'll formalize as the court may require. Many thanks.

- Dave

David B. Weinstein
WEINSTEIN TIPPETTS & LITTLE LLP
7500 San Felipe St., Suite 500
Houston, TX 77063
Main: (713) 244-0800
Direct: (713) 244-0810
david.weinstein@wtllaw.com

From: David Weinstein
Sent: Tuesday, June 13, 2017 8:14 AM

To: 'dgalaw@verizon.net' <dgalaw@verizon.net>

Subject: RE: Godoy v BMW, et al: ZF TRW -- time to talk?

Dino,

I'll be in transit to the airport from about 1 – 1:30 pm ET today, but please try me on my cell at 713-816-9466. Hopefully we can connect. Thanks.

- Dave

From: dgalaw@verizon.net [<mailto:dgalaw@verizon.net>]

Sent: Tuesday, June 13, 2017 4:40 AM

To: David Weinstein <david.weinstein@wtllaw.com>

Subject: Re: Godoy v BMW, et al: ZF TRW -- time to talk?

Counselor:

Yes, of course.

I will be in Court this morning but should be done by 13:00 (DST).

I will call your office.

Dino G. Amoroso
Amoroso & Associates, P.C.
43 West 43rd Street
New York, NY
B-212.709.8031
F-212.943.2300
DGALaw@verizon.net

Sent from my iPhone

On Jun 12, 2017, at 6:32 PM, David Weinstein <david.weinstein@wtllaw.com> wrote:

To:

Dino Amoroso

Counsel for plaintiff Kimberly Godoy

Dino,

My firm serves as counsel for ZF TRW Automotive Holdings Corp., named as one of the defendants in the referenced case pending in the Eastern Dist of NY. Wondering if you might have some time tomorrow morning to make an introduction and discuss the case with me. Many thanks.

- Dave Weinstein

David B. Weinstein
WEINSTEIN TIPPETTS & LITTLE LLP
7500 San Felipe St., Suite 500
Houston, TX 77063
Main: (713) 244-0800
Direct: (713) 244-0810

david.weinstein@wtllaw.com